



Kanawha-Charleston Board of Health

Meeting Minutes

December 2, 2010

Board Members Present

Ms. Brenda Isaac
Mr. Robert Reishman
Dr. Arthur Rubin
Ms. Shannon Snodgrass
Mr. James Strawn
Mr. Stephen Weber

Presenting Guests

Dr. Rahul Gupta
Ms. Lolita Kirk
Ms. Janet Briscoe
Ms. Krista Farley
Ms. Anita Ray

1. Call to Order – President

Ms. Isaac called the meeting to order at 4:37 p.m.

2. Report of the President – Ms. Isaac

a. Approval of prior meeting minutes

Dr. Rubin made a motion that the minutes of the September 16, 2010 Board meeting be accepted as presented. The motion was seconded by Mr. Weber. The Board voted and the motion passed unanimously.

3. Report of the Health Officer – Dr. Gupta

a. Influenza update

Dr. Gupta informed the Board that as of November 13, 2010, the statistics on influenza like illnesses were around 3.7%, which is slightly above average. There were no cases reported from Kanawha. He did state that we need to continue to urge individuals to get their flu vaccine due to the fact that historically, the peak times for the flu are in February and March.

Dr. Gupta went on to say that since September, KCHD has given over 12,000 flu shots; approximately 5,000 in the schools (which are still ongoing), and over 7,000 in community and business clinics. He also stated that this was our second consecutive year of participating in the school vaccine clinics and it is turning out to be successful partnership.

b. Healthcare Reform activities

Dr. Gupta stated that KCHD has partnered with the West Virginia Association of Local Health Departments regarding healthcare reform. Dr. Gupta added that he has been appointed as the chairperson of the Association's committee. He stated it is important

that public health and the coming changes related to reform are recognized throughout West Virginia.

Dr. Gupta updated the Board on the grant that has been awarded to the West Virginia Department of Health & Human Resources by the CDC. Dr. Gupta stated that of the \$1.2 million dollars a year for 5 years, \$200,000/year was designated as a non-competitive grant for the state's infrastructure development and \$1,000,000/year is designated to develop infrastructure systems including local health departments. Dr. Gupta went on to say that there are 3 components to the grant:

- 1) Performance management and quality improvement initiatives
- 2) Workforce Development, and
- 3) Development of statewide environmental software.

The software is for environmental health programs and will be used to maintain more accurate and consistent information and statistics across the state. He added that Anita Ray has been appointed to represent the health department on the software selection committee. Dr. Gupta said KCHD will be one of the ten health departments selected to participate during the pilot program. He added that if KCHD had to purchase software, it would cost approximately \$50,000.

c. Threat Preparedness update

Dr. Gupta informed the Board that there had been some long delays in receiving payment for the final two H1N1 Grant invoices totaling over \$118, 000. Dr. Gupta stated that these invoices were for funds already spent by the Health Department. He added that the first invoice was submitted in June. Dr. Gupta added that notification was received today (December 2) that the Health Department will be receiving the check in a few days. Dr. Gupta also informed the Board that since the beginning of this years threat preparedness grant in August, the Department has incurred approximately \$64,000 of expenses. He added that until the completed document is received from the West Virginia Department of Health and Human Resources (WVDHHR), KCHD is unable to invoice those monies. Ms. Snodgrass asked to whom the invoices were sent? Ms. Kirk informed Ms. Snodgrass and that Board that the invoices were sent to WVDHHR Finance. Ms. Kirk also told the Board that the invoices in questions had been submitted more than once and that there had been one delay after another.

d. Special funding

Dr. Gupta stated that not all of the monies the state received for H1N1 were utilized by LHDs. To utilize these remaining funds, the Center for Threat Preparedness (WVDHHR) has notified local health departments, they may submit projects for consideration. KCHD has submitted three proposals, training, communications and one for establishing points of dispensing for state government several months ago. Dr. Gupta added that the Department is waiting on a reply and final decision from Center for Threat Preparedness (WVDHHR).

4. Report of the Administrative Director – Ms. Lolita Kirk

Ms. Kirk stated she had sent the report to the Board a week prior to the meeting and that a copy of the report was in their packets. Ms. Kirk also stated that the 1st quarter totals were a

little lower that they should be due to the delay in payment from the WVDHHR as discussed above.

Ms. Kirk informed the Board that building expenses were up due to some of the budgeted renovations had been completed. Mr. Reishman asked if we had a service contract for the generator's fuel. Ms. Kirk replied that not as yet.

5. Report of the Director of Environmental Health – Ms. Anita Ray

a. Discussion on FOIA Issue/verses OHFLAC

Ms. Ray handed out information for the Board's review regarding ongoing communications with OHFLAC.

Ms. Ray presented to the Board that a Freedom of Information Act (FOIA) request had been filed with the WVDHHR Office of Health Facilities Licensure and Certification (OHFLAC). This was done after the Health Department's Environmental Health Division received a complaint on Charleston Area Medical Center Hospital regarding the incident of May 26, 2010, in which a patient was covered in raw sewage while lying in her hospital bed.

Ms. Ray added that OHFLAC was contacted after the Health Department received the complaint but stated that they had 45 days to respond and many of their people worked 4 tens. Ms. Ray also stated that in our discussions, Dr. Gupta clearly communicated to the Acting Director of OHFLAC, Mr. John Wilkinson that this situation posed a potential immediate and clear threat to the safety of various patients at the facility. However, Mr. Wilkinson stood firm on the unavailability of his personnel to respond in an immediate manner. KCHD conducted the initial inspections and transmitted a copy of their findings to OHFLAC to assist in their review. However, when we requested the same, OHFLAC stated that they would not share their findings with the Kanawha-Charleston Health Department. KCHD was told by OHFLAC that any information on this complaint would have to be obtained through a FOIA request. Subsequently, KCHD remained unsuccessful in attempting to obtain this information through other means including a request to Ms. Amy Atkins at the Bureau for Public Health over a period of months.

Ms. Ray stated that KCHD was left with no option but to hire an attorney to prepare the FOIA request and to-date the Health Department has spent over \$3,000 and still have not received all the information that was requested. The Health Department was specifically informed in writing that OHFLAC employees have no work schedules. Ms. Ray added that the Department should not have to spend public money to obtain information about facilities located in Kanawha County from another health-related government agency.

Mr. Weber commented that if the Department couldn't get the information requested then the Kanawha-Charleston Health Department should take OHFLAC to court.

Ms. Isaac asked Dr. Gupta if he was requesting the Board's permission to pursue this issue further and Dr. Gupta said he was. Mr. Weber made a motion that Dr. Gupta pursue this issue at a higher level including with the DHHR Secretary and its Inspector

General with the understanding that if it can't be resolved within the agencies, then KCHD may have to proceed legally. Dr. Rubin seconded the motion and it passed unanimously.

Ms. Ray informed the Board that she had submitted a presentation to Public Health Preparedness Summit/National Association of City and County Health Official (NACCHO)/CDC at Atlanta which has been accepted and they have requested that she be a presenter at their February meeting.

6. Report of the Director of Epidemiology –Ms. Janet Briscoe

a. Introduction of new employee

Ms. Briscoe introduced a new employee with the Epidemiology Division, Brandon Merritt, who is the Regional Epidemiologist for Kanawha County and housed at KCHD. Mr. Merritt began in October.

b. Update on gastrointestinal illnesses (GI)

Ms. Briscoe provided an update of the recent GI outbreak in the community and several county schools. She reported that it appears that the outbreak is near an end as there haven't been any confirmed or probable cases in approximately two weeks.

Ms. Briscoe updated the board on the 7th Grade Initiative, indicating that it is complete with the exception of a few private schools that are on-going.

Ms. Briscoe added that the Health Department's SNS plan passed its assessment after being reviewed by the CDC Public Health advisor in July.

7. Report of the Director of Health Promotion – Ms. Krista Farley

a. Update on the Capital Medical Reserve Corps

Ms. Farley updated the Board on the Capital Medical Reserve Corp (MRC) and the funding we have received from Volunteer WV to purchase t-shirts and go-kits to help with recruitment.

b. NACCHO Achieve Grant

Ms. Farley stated that KCHD is waiting notification of a NACCHO grant to help fund the MRC volunteer recruitment and retention efforts. We are working on mailings to all members and planning a training class in January. Ms. Farley discussed the purpose of the WV REDI credentialing system. Ms. Farley reported to the Board that she submitted an ACHIEVE Grant from NACCHO which will provide extensive business, school and community assessments to identify policy and environmental change to impact chronic disease. A team will be developed to assist with this plan and the Board members have been invited to participate and attend an Action Institute in the spring.

c. KEYS 4 HealthyKids

Ms. Farley stated that the KEYS 4 HealthyKids project is wrapping up its first year and the physical activity opportunity map is available on the KCHD website. Ms. Farley also

introduced Nicole Vermillion who is a Masters of Public Health student from WVU who is working at KCHD until April for her internship.

8. Old Business

Dr. Rubin stated that the old by-laws were in the packet along with the revisions. Dr. Rubin made a motion to accept new by-laws, Mr. Reishman seconded the motion. It passed unanimously.

9. New Business

None.

10. Adjournment

A motion was made by Steve Weber to adjourn. The Board voted and the motion passed unanimously.

Respectfully submitted,



Rahul Gupta, MD, MPH, FACP
Health Officer/Executive Director